

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

BRIAN JOSEPH GREF,

Plaintiff,

v.

AMERICAN INTERNATIONAL
INDUSTRIES, individually and as
successor-in-interest for the CLUBMAN
BRAND, and to THE NESLEMUR
COMPANY and PINAUD COMPANY, et
al.,

Defendants.

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Case No. 1:20-CV-05589-GBD

**DEFENDANT AMERICAN INTERNATIONAL INDUSTRIES' OBJECTION TO THE
RECOMMENDATION FILED JANUARY 15, 2025 CONCERNING PLAINTIFF'S
MOTION TO DISMISS**

Pursuant to Federal Rule of Civil Procedure 72(b) and 28 U.S.C § 636(b)(1), Defendant American International Industries ("A-I-I"), by counsel, respectfully submits this Objection to Magistrate Judge Figueredo's Report and Recommendation filed January 15, 2025 (ECF No. 459) ("the Recommendation"), which recommends granting Plaintiff's Motion to Dismiss A-I-I with prejudice and without an award of fees or costs.

A-I-I objects to the Recommendation to preserve its position that it is entitled to recover costs under Federal Rule of Civil Procedure 54(d). The grounds for A-I-I's Objection are more fully stated in A-I-I's Memorandum in support of Objection.

Respectfully submitted this 29th day of January, 2025.

/s/ Robert E. Thackston

Robert E. Thackston (*pro hac vice*)

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CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of January 2025, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notice of electronic filing to all parties.

/s/ Robert E. Thackston